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TREASURY DEPARTMENT.

Bureau of Internal Revenue.

(T. D. 4743)

SPECIALLY DENATURED ALCOHOL FORMULA No. 23-G

To District Supervisors, Chemists in Charge, Authorized Chemists, and others concerned:

Treasury Decision 4541, approved April 17, 1935, as amended by Treasury Decision 4555, approved May 24, 1935, is hereby modified to read as follows:

Pursuant to authority conferred by the Act of June 7, 1906 (U. S. C., 1934 Ed., Title 26, Sec. 1320), and Title III of the National Prohibition Act, specially denatured alcohol Formula No. 23-G must be compounded on and after September 1, 1937 as follows:

To every 100 gallons of ethyl alcohol add
3.5 gallons of methyl propyl ketone
0.5 gallon of methyl isobutyl ketone

SPECIFICATIONS FOR METHYL PROPYL KETONE

Purity.—Consists of at least 97 per cent of ketones.

Specific Gravity 20/20° C.—0.807 to 0.811.

Color.—Water-white.

Water.—Miscible without turbidity with 19 volumes of 60° Be. Gasoline at 20° C.

Acidity (Free acid as acetic acid).—Less than 0.003 per cent.

Distillation Range (According to A. S. T. M. Specifications D268-33).—More than 90 per cent distills over between 100° and 103° C.

Non-volatile matter.—Less than 0.005 per cent.

SPECIFICATIONS FOR METHYL ISOBUTYL KETONE

Specific Gravity 20/20° C.—0.799 to 0.804.

Color.—Water-white.

Acidity.—Not more than 0.02 per cent as acetic acid.

Boiling Range (760 mm.).—None should come over below 111° C. or none above 117° C. when distilled by the A. S. T. M. method D-268-33.

On and after September 1, 1937 all rubbing alcohol compounds or preparations coming under the general classifications of rubbing alcohols must be manufactured with specially denatured alcohol Formula No. 23-G as revised herein, and they must contain 70 percent absolute ethyl alcohol by volume, or as near 70 per cent as is practicable to be obtained by the ordinary commercial methods used for compounding alcohol preparations. In order that the finished products shall contain 70 per cent absolute ethyl alcohol by volume, the manufacturer should use 98.1 fluid ounces of specially denatured alcohol Formula No. 23-G to which must be added ½ ounce of sucrose octa acetate, and then made up to 1 gallon with water.

STANDARD FORMULA FOR RUBBING ALCOHOL COMPOUNDS

Specially Denatured Alcohol Formula No.

23-G	98.1 fluid ounces.
Sucrose Octa. Acetate	½ avoirdupois ounce.
Water q. s.	1 gallon.

The manufacturer of rubbing alcohol compounds may also add to the standard formula such other odorous constituents or medicaments as is desired, provided they are shown in the formula submitted for approval and that the finished product contains 70 percent absolute alcohol by volume.

The supervisor will notify all permittees in his district manufacturing rubbing alcohol compounds to submit revised formulate and labels for their rubbing alcohol compounds to him on Form 1479-A, in quadruplicate, complying with the requirements set forth herein. The supervisor will examine the formulae and labels submitted by the permittee, and if they comply with the provisions of this Treasury Decision, he will note his approval on each copy of Form 1479-A. After approval, one copy will be returned to the permittee, one copy furnished the chemist in charge, one copy retained in the supervisor's office, and the remaining copy forwarded to the Commissioner. If the formulae or labels are disapproved, all copies of Form 1479-A will be returned to the permittee with a statement of the reason for the disapproval.

Effective July 1, 1935 the second paragraph of Article 146 of Regulations #3 is hereby amended to read as follows:

Any product manufactured with specially denatured alcohol Formula No. 23-G under permit issued pursuant to these regulations and labeled and sold as a rubbing alcohol compound must be put up and sold by the manufacturer thereof in containers or packages in which it is to be delivered to the ultimate consumer. Such containers or packages shall not exceed one pint in capacity, and must be labeled to show name and address of the manufacturer. Where rubbing alcohol compounds are manufactured and bottled under the name of a dealer for resale to the legitimate trade, the manufacturer must place his name and address or his permit number on the labels of the containers in type of sufficient size to be clearly legible. No misleading statement will be permitted on labels which would give the impression that the product is pure alcohol, and a product which is not marketed under a trade name must be labeled RUBBING ALCOHOL COMPOUND, in type of the same size and color. A caution notice must also be placed on each label to the effect that the preparation is for external use only and is medicated so that if taken internally serious gastric disturbance will result. Labels or facsimiles thereof must be submitted for approval before use. The sales of this product must be confined to persons legitimately engaged in a bona fide drug trade, or to hospitals, sanitariums, turkish baths or other establishments or stores where such compounds have customarily been sold, or used for massage or other external purposes. Failure to comply with these requirements and to confine sales to such persons, or the making of sales to such persons in quantities in excess of their reasonable requirements will constitute bad faith on the part of the permittee and grounds for the revocation of his permit.

[SEAL]

GUY T. HELVERING,

Commissioner of Internal Revenue.

Approved: June 24, 1937.

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

[F. R. Doc. 37-1927; Filed, June 25, 1937; 3:24 p. m.]

FEDERAL REGISTER

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[T. D. 4744]

RESTAMPING PACKAGES OF DISTILLED SPIRITS, TOBACCO, CIGARS, SNUFF, CIGARETTES, FERMENTED MALT LIQUORS, OLEOMARGARINE, AND WINES.

To Collectors of Internal Revenue, District Supervisors and other officers and employees of the Bureau of Internal Revenue concerned:

1. Section 3315, Revised Statutes, as amended, (U. S. C. 1934 ed., Title 26, Secs. 803 (b), 812 (b), 1152 (b), 1300 (b), and 1332 (d)) provides that the Commissioner of Internal Revenue may, under regulations prescribed by him with the approval of the Secretary of the Treasury, issue stamps for restamping packages of tobacco, snuff, cigarettes, cigars, distilled spirits, wines, and fermented liquors, which have been duly stamped, but from which the stamps have been lost or destroyed by unavoidable accident.

2. Section 8 of the Act of August 2, 1886, as amended, (U. S. C. 1934 ed., Title 26, Secs. 982-983) provides with respect to oleomargarine stamps that "the provisions of existing law governing the engraving, issue, sale, accountability, effacement, and destruction of stamps relating to tobacco and snuff, as far as applicable, are hereby made to apply to stamps provided for by this section."

3. The following regulations are prescribed in conformity with the provisions of law above cited:

APPLICATIONS FOR RESTAMPING

4. Applications for restamping should be made in writing to the Collector of Internal Revenue for the district in which the packages to be restamped are situated. With respect to containers of distilled spirits required to bear strip stamps by the Liquor Taxing Act of 1934 (Title 26, Sec. 1152 (c), U. S. C. 1934 ed.) the procedure outlined in Paragraphs 11, 12, and 13 hereof should be observed. The applicants should state in detail the number of packages, description of the contents, where the packages are located, the kind and denomination of the stamps lost or destroyed, and the nature of the applicant's interest in the property.

5. If the stamps were lost or destroyed in transit, the application should be accompanied by an affidavit of the consignor that the packages were properly stamped when shipped and, if possible, the affidavit of some one having knowledge of the facts attending their loss or destruction en route.

6. In the event the stamps were lost or destroyed either before or after shipment and while in the possession of the applicant, the application should be accompanied by an affidavit of the applicant or some one in his employ stating that the packages were once duly stamped or properly stamped when received, as the case may be, and detailing all the circumstances connected with the destruction of the stamps.

INSPECTION

7. When an application is received, the Collector will examine it and the supporting affidavits for the purpose of determining whether all of the papers have been correctly prepared. If so, the Collector will order an immediate inspection of the packages by one of his deputy collectors, who will make a written report to the Collector of the number of packages which need restamping, the condition and contents of each, and the kind of stamps or fragments of stamps still attached thereto.

8. In the case of spirits in barrels, the inspection should be made by a storekeeper-gauger, if possible, or by some other representative of the District Supervisor's office. A full report of regauge on the prescribed gauging form and a statement of the marks and brands found upon the bung stave and stamp head of the packages must be made.

9. If this inspection cannot be made without substantial expense to the Government, the Collector will, before expenses are incurred, forward to the Commissioner of Internal Revenue for consideration the application and accompanying papers as well as an estimate of the cost of completing the examination.

ADDITIONAL EVIDENCE

10. In the following cases where stamps for spirits and wine have been lost or destroyed, Collectors of Internal Revenue will procure and forward to the Commissioner of Internal Revenue with the application, report of inspection, and report of regauge, additional evidence as follows, according to the nature of the case:

(a) For tax-paid spirits in original packages: Certified copy of the report on the prescribed gauging form showing the contents of the packages at the time they were gauged for tax payment. Certificate of the Collector in whose district the missing or mutilated stamps were purchased, which should contain all of the information shown on the stubs from which the original stamps were detached.

(b) For rectified spirits in bulk packages: Certified copy of the rectifier's "Notice of Completion of Rectification and Return of rectified Spirits, Wines, or other Liquors Gauged, Marked, and Stamped." Certificate of the Collector in whose district the missing or mutilated stamps were purchased, which should contain all of the information shown on the stubs from which the original stamps were detached.

(c) For export spirits in bulk packages: Certified copy of the prescribed gauging form showing the contents of the packages at the time they were gauged for withdrawal and exportation. This certificate should contain all of the information shown on the stubs from which the original stamps were detached.

(d) For wholesale liquor dealer's packages of spirits: Certified copy of the application for the stamps on the prescribed form.

(e) For wine: Affidavit from the taxpayer showing the contents of the cases or packages when stamped, value of stamps affixed to the cases or packages, taxable grade of wine, serial numbers of the cases or packages, and date on which the stamps were affixed to the packages.

(f) For rectified products required to bear wine stamps: Affidavit of the taxpayer and a certified copy of the prescribed form showing the serial numbers and the contents of the cases or packages when stamped, value of stamps affixed to the cases or packages, and the date of affixing.

APPLICATIONS FOR RESTAMPING BOTTLES REQUIRED TO BEAR STAMPS BY THE LIQUOR TAXING ACT OF 1934

11. Applications under oath for restamping containers of distilled spirits required to be stamped by the Liquor Taxing

Act of 1934 (Title 26, Sec. 1152 (c), U. S. C. 1934 ed.), from which the original strip stamps have been lost or destroyed, shall be made to the local Collector of Internal Revenue. The applicant in every case will state the cause of the loss or destruction of the original stamps, and submit evidence that the spirits have been tax-paid. Such evidence may consist of the invoices covering the purchase of the spirits, in addition to other available documents. Where the stamps, which it is claimed have been destroyed, or any portion thereof, have become detached from the containers and recovered, they shall be submitted with the application.

12. Each application for new stamps, without cost, to replace those which have been lost or destroyed by unavoidable accident, shall be executed in duplicate and addressed to the local Collector of Internal Revenue. It will be forwarded to the Collector through the office of the appropriate District Supervisor. If the evidence presented shows conclusively that the tax on the spirits has been paid and if the loss or destruction of the strip stamps has been satisfactorily explained, the District Supervisor will approve the application and forward the original copy, together with supporting papers, to the local Collector of Internal Revenue. The duplicate copy of the application shall be retained by the District Supervisor for record purposes. The Collector will transmit the application and accompanying evidence to the Bureau for consideration as required by Paragraph 19 hereof. If the Bureau approves the application, an appropriate authorization on Form 7706 will be mailed to the Collector to cover the issuance of the duplicate strip stamps. Such stamps will then be sent to the District Supervisor, who, after making suitable notations on the duplicate copy of the application filed in his office, will deliver the stamps to the applicant, either by mail or by a representative of his office, together with instructions in regard to marking and affixing them to the containers.

13. If in connection with any application for duplicate strip stamps to be affixed to containers of distilled spirits, the District Supervisor has doubt, from the evidence submitted, as to whether the tax on the spirits has been paid or if the loss or destruction of the strip stamps has not been satisfactorily explained, he will cause the necessary investigation to be made before approving and forwarding such application to the Collector.

FERMENTED MALT LIQUORS

14. With respect to fermented malt liquors, upon receipt of an application, supported by an affidavit of tax payment and loss of stamps, and after report of inspection by a deputy collector, the Collector may, if the evidence is satisfactory, issue the stamps necessary to replace those lost or destroyed without securing formal authorization so to do from the Bureau. Such stamps will be affixed to containers under the direct supervision of a deputy collector. These reports by deputy collectors are required in all cases of applications for restamping packages, except where an officer working under the jurisdiction of the District Supervisor of the Alcohol Tax Unit discovers an unstamped package. The Collector may act upon the report and recommendation of such officer without requiring a further investigation by a deputy collector. The Collector should transmit all the papers in each case, including a signed report on Form 7706-A in duplicate, to the Bureau with his monthly stamp report, in order that credit may be allowed in his stamp account.

FAILURE TO MAKE VOLUNTARY APPLICATION FOR RESTAMPING CONTAINERS OF LIQUORS

15. Where an unstamped container of distilled spirits, fermented malt liquor, or wine, from which the original stamp has been lost or destroyed, is discovered and it is ascertained that no application for the restamping thereof has been made, such container will be detained pending appropriate action. If, upon investigation, it develops that the container has been tax-paid, the officer who made the discovery shall secure an affidavit from the proper party, setting forth the reason for the loss or destruction of the stamp, as well as documentary evidence, if any, in support thereof. He shall then require

the party involved to execute a suitable restamping application to be submitted through the office of the District Supervisor to the local Collector of Internal Revenue, accompanied by a statement of the facts and the officer's recommendation. Such officer will inform the possessor of the unstamped container of liquor that it is his privilege to submit an offer in compromise. In the event a suitable offer in compromise is tendered, the procedure shall thereafter conform with the procedure governing cases in which an application for restamping was made without the intervention of a Government officer. When received, the stamp may be issued and affixed, and the container of liquor may be released from detention without awaiting action on the offer in compromise. Where no offer in compromise is submitted, the container of liquor shall be seized for forfeiture.

REPACKING CONTENTS OF PACKAGES OF TOBACCO, CIGARS, SNUFF, CIGARETTES AND OLEOMARGARINE

16. Where packages of tobacco, cigars, snuff, cigarettes, or oleomargarine are found to be in such condition that they require repacking before new stamps can be attached, the deputy collector will in such cases include in his report of inspection the exact number, denomination, and class of stamps to be used.

17. If the Collector is satisfied that the packages were once duly stamped and there appears to be no evidence of fraud, he will authorize their immediate repacking in new packages not before used for that purpose and of a size to contain a statutory quantity or number of articles, under the supervision of a deputy collector. The packages will then be held until the Collector is authorized to issue the required stamps, which must be attached to the packages under the supervision of a deputy collector.

18. The work of repacking and restamping these packages must not be done within the factory premises of any manufacturer of articles subject to internal revenue taxes.

ISSUANCE OF STAMPS

19. With the exception of applications for the restamping of containers of fermented malt liquors, as set forth in Paragraph 14 hereof, the Collector will forward all applications, together with supporting evidence, to the Accounts and Collections Unit of the Bureau for consideration and an appropriate authorization on Form 7706, prior to issuing any duplicate stamps.

CREDIT FOR STAMPS ISSUED

20. The issuance of all stamps under these regulations should be reflected in the appropriate monthly record of stamps received, issued, etc., in column headed "Issued by Order of the Commissioner", and credit for the stamps should be taken on the proper line of the Collector's monthly stamp report.

21. In every case, the Collector should obtain a receipt from the party receiving duplicate stamps and transmit such receipt to the Bureau with his stamp report for the month in which the stamps were issued.

22. The regulations herein promulgated supersede those contained in Treasury Decisions 1869 and 4580 dated, respectively, August 5, 1913, and August 20, 1935.

[SEAL] GUY T. HELVERING, *Commissioner*.
Approved: June 24, 1937.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 37-1928; Filed, June 25, 1937; 3:24 p. m.]

[T. D. 4745]

SALE OF ETHYL ACETATE AND LACQUER THINNERS

To District Supervisors and Others Concerned:

Paragraph (6), of Section 2, Title I, of the "Liquor Law Repeal and Enforcement Act," reads as follows:

(6) The term "regulation" shall mean any regulation prescribed by the Commissioner with the approval of the Secretary of the

Treasury for carrying out the provisions of this title or of Title III of the National Prohibition Act, and the Commissioner is authorized to make such regulations.

Pursuant to authority conferred by the statute above quoted, the last paragraph of Article 136, Regulations 3, is hereby revoked and the following substituted in lieu thereof:

Ethyl acetate and lacquer thinners may be sold by producers thereof to (1) legitimate users for solvent or other manufacturing purposes, and (2) reputable dealers engaged in a bona fide paint or chemical trade for resale in manufacturers' original packages to legitimate users and retailers.

Sales by producers to dealers shall be in containers of a capacity of not more than 55 gallons, and shall not exceed a total of 550 gallons to any dealer during any calendar month. Sales by dealers shall not exceed 550 gallons during a calendar month and not more than 55 gallons shall be sold to a customer at any one time: Provided, that such sales to dealers and by dealers may exceed the above maximum sales limitations of 550 gallons, and 550 gallons and 55 gallons, respectively, upon the production of evidence satisfactory to the District Supervisor that there is need for ethyl acetate and lacquer thinners by such dealers and their customers in greater quantities to supply their legitimate needs.

Producers and dealers will be responsible for delivery of the product direct to their customers and must satisfy themselves that the purchaser is engaged in a lawful business and that the quantity purchased is intended for legitimate purposes.

Containers of ethyl acetate and lacquer thinners, irrespective of size, must have marked thereon the name of the product, the quantity, and the name and address of the producer, or in lieu thereof, the name and address of the dealer and the permit number and state of the producer.

Producers of ethyl acetate shall continue to file daily reports of shipments of ethyl acetate.

[SEAL]

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: June 24, 1937.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 37-1939; Filed, June 26, 1937; 1:06 p. m.]

DEPARTMENT OF THE INTERIOR.

Division of Grazing.

WITHDRAWAL FOR PROPOSED MONTANA GRAZING DISTRICT No. 5 VACATED IN PART

JUNE 18, 1937.

Under authority of Departmental order of July 6, 1936,¹ pursuant to section 1 of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), notice was published on July 16, 1936, that a hearing would be held at Dillon, Montana, on August 12, 1936, or at any place or time to which said hearing might be adjourned for the purpose of considering the establishment of Grazing District No. 5 to include the following lands:

MONTANA

Counties of Beaverhead, Madison,
Silver Bow, and Jefferson.

The publication of such notice had the effect, in accordance with the provisions of aforesaid act of withdrawing all public lands within the entire boundaries of the proposed district from all forms of entry and settlement.

It has been determined that the public lands within the area proposed for withdrawal are not appropriate for administration in a grazing district under the Taylor Grazing Act except those lands which are included in Montana Grazing District No. 5, established November 3, 1936,² as modified. The withdrawal, therefore, is hereby vacated except as to those lands in the grazing district.

CHARLES WEST,
Acting Secretary of the Interior.

[F. R. Doc. 37-1932; Filed, June 26, 1937; 9:24 a. m.]

¹ F. R. 971.

² F. R. 2029.

Division of Territories and Island Possessions.

(Passenger Circular No. 154-C)

THE ALASKA RAILROAD—TRANSPORTATION DEPARTMENT

TIME TABLES

ANCHORAGE, ALASKA, June 4, 1937.

To all concerned:

Time Table corrected to June 8th, 1937 has been issued and distributed to all Agents and others interested. Arrange to destroy all time tables of previous issues.

Service as provided in this time table will be effective as follows:

Train No.	Stations from and to—	Schedule effective
11	Fairbanks to Curry.....	Thursday, June 10.
1	Curry to Seward.....	Friday, June 11.
2	Seward to Curry.....	Saturday, June 12.
12	Curry to Fairbanks.....	Sunday, June 13.
4	Seward to Curry.....	Tuesday, June 8.
21	Palmer to Anchorage.....	Tuesday, June 15.
22	Anchorage to Palmer.....	Tuesday, June 15.
18	Curry to Fairbanks.....	Tuesday, June 22.
14	Curry to Fairbanks.....	Wednesday, June 9.
6	Seward to Curry.....	Friday, June 18.
8	Seward to Palmer.....	Friday, June 18.
7	Palmer to Seward.....	Friday, June 18.
16	Curry to Fairbanks.....	Friday, June 18.
13	Fairbanks to Curry.....	Monday, June 14.
3	Curry to Seward.....	Tuesday, June 15.
19	Fairbanks to McKinley Pk.....	Tuesday, June 22.
20	McK. Park to Fairbanks.....	Tuesday, June 22.
15	Fairbanks to Curry.....	Wednesday, June 23.
5	Curry to Seward.....	Thursday, June 24.

In case there is any passenger business for above trains before service is effective, this office to be promptly advised and motor car service will be provided to handle such traffic.

This Circular cancels Passenger Circular No. 154-B of April 27, 1937.

W. A. STILES,
Chief Dispatcher.

JUNE 18, 1937.

The above is hereby confirmed.

RUTH HAMPTON,
Assistant Director.

[F. R. Doc. 37-1933; Filed, June 26, 1937; 9:24 a. m.]

[Supplement No. 1 to I. C. C. 233]

THE ALASKA RAILROAD

SUPPLEMENT NO. 1 TO LOCAL PASSENGER TARIFF NO. 197

Naming One-Way and Round-Trip Fares Between Anchorage, Alaska and Palmer, Alaska

Issued, June 3, 1937.

Effective, July 19, 1937.

Cancellation Notice:

Local Passenger Tariff No. 197, I. C. C. No. 233,¹ is hereby cancelled.

After date of cancellation, fares² named in Local Passenger Tariff No. 42-B, I. C. C. No. 177, supplements thereto and reissues thereof will apply for one-way transportation. Fares named in Local Passenger Tariff No. 173-C, I. C. C. No. 221, will apply for round-trip transportation.

Authority: Act of March 12, 1914 and Executive Order No. 3861. Issued by: O. F. Ohlson, General Manager, Anchorage, Alaska.

JUNE 18, 1937.

The above is hereby confirmed.

RUTH HAMPTON,
Assistant Director.

[F. R. Doc. 37-1934; Filed, June 26, 1937; 9:24 a. m.]

¹ 2 F. R. 1220.

² Increase.

[Freight Circular No. 84-G.]

THE ALASKA RAILROAD—TRANSPORTATION DEPARTMENT

LOCAL FREIGHT SERVICE

ANCHORAGE, ALASKA, June 4th, 1937.

To all concerned:

Effective June 10th, 1937 local freight train service will be operated as follows:

NORTHWARD

Leave Seward, No. 62, Wednesday and Saturday.¹
Leave Anchorage Extra, Thursday and Sunday.¹
Leave Curry, No. 66, Friday¹ and Monday.¹
Leave Healy, No. 68, Saturday and Tuesday.

SOUTHWARD

Leave Fairbanks, No. 67, Sunday and Thursday.
Leave Healy, No. 65, Tuesday¹ and Saturday.¹
Leave Curry, Extra, Wednesday and Sunday.
Leave Anchorage, No. 61, Thursday¹ and Monday.

Branch line mixed service will be operated as follows:

NORTHWARD

Leave Anchorage for Palmer, No. 52, Tuesday and Friday.
Leave Palmer for Jonesville, No. 52, Tuesday and Friday.

SOUTHWARD

Leave Jonesville for Palmer, No. 51, Tuesday and Friday.
Leave Palmer for Anchorage, No. 51, Tuesday and Friday.

Freight will be handled as follows:

On Tuesdays and Fridays to Matanuska, Moose Creek, Sutton, Jonesville, and Eska.²

Main line points are as follows:

Whitney, Otter M. P. 122.9, Eagle River.
Fire Creek M. P. 132.1, Birchwood, Eklutna.
Reed,³ M. P. 146.0, Matanuska.

Freight from main line points, Whitney to Matanuska inclusive, will be handled on Branch Line train Tuesdays and Fridays, and will not be handled on main line freight trains.

This freight circular cancels Freight Circular No. 84-F of May 1st, 1937 relative to Local Freight Train Service.

W. A. STILES,
Chief Dispatcher.

JUNE 18, 1937.

The above is hereby confirmed.

RUTH HAMPTON,
Assistant Director.

[F. R. Doc. 37-1935; Filed, June 26, 1937; 9:24 a. m.]

National Bituminous Coal Commission.

[Order No. 10]

AN ORDER PROVIDING FOR ASSESSMENTS BY DISTRICT BOARDS ON CODE MEMBERS AND SUBMISSION OF BUDGETS BY DISTRICT BOARDS

Pursuant to act of Congress entitled "An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public, No. 48, 75th Cong., 1st sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders:

1. Each district board, immediately following the confirmation by the Commission of the election of such district board, shall assess and levy an initial assessment upon all the code members subject to its jurisdiction as provided in said Act.

Such initial assessment shall be in an amount approximating the expense of administering the code by the respective district boards during the period ending August 31, 1937, as estimated by the district boards, and may include necessary expenditures for the rental of quarters for the use of the district board, purchase of office machinery, equipment

¹ Freight trains as indicated by (1) will not handle a coach.

² Freight for Eska will be unloaded at Eska Junction unless otherwise instructed.

³ When 300 pounds or more, freight will be unloaded at Reed, when less than 300 pounds freight will be unloaded at Eklutna.

and supplies, salaries of employees and all other reasonable expenses incidental to the organization of the district board, and the operation thereof during such period.

Such initial assessment shall be computed and apportioned on a basis of the tonnage of each code member for the calendar year 1936, as established pursuant to part I, subsection (a) of section 4 of said Act and shall be assessed and collected pursuant to the provisions of part I, subsection (b) of said section 4, provided that in no event shall the minimum initial assessment levied upon any code member be less than the amount of five (\$5.00) dollars.

2. An initial assessment in like amount per ton and on the same basis as provided in paragraph one (1) of this order shall be levied by the district board upon any producer whose acceptance of the code is filed subsequent to the date of the assessment herein authorized and directed.

3. The assessments provided for under this order shall be paid by the code members subject thereto on or before a date specified by the district board, but in no event shall such assessment be required to be paid in less than fifteen (15) days from the date of such assessment and levy.

4. Within fifteen (15) days following the assessment and levying of the initial assessment herein authorized and directed, each district board shall make a report to the Commission of its action, setting forth the amount of such levy, the per ton rate thereof computed upon the code member tonnage against which the levy is apportioned, and a statement of the amounts of various expenditures proposed to be made by the district board from the proceeds of such assessment and levy.

5. At least ten (10) days prior to the date on which a district board proposes to levy any assessment other than the initial assessment, said board shall file such proposed assessment with the Commission for approval.

6. On or before the fifteenth day of each month each district board shall file with the Commission a statement of the total amount of cash collected during the preceding calendar month, together with a separate statement of account showing expenses incurred and expenditures made by the district board during said period on account of each of the items set forth in the budget approved by the Commission.

7. On or before August 1, 1937, each district board shall file with the Commission, for approval, disapproval, or modification and approval, a proposed budget of the expense of administering the code by said district board during the twelve-month period beginning September 1, 1937, together with a statement of the proposed method and rate of apportionment of such expense among those subject to its jurisdiction, and the proposals of the board as to the time for levying and collecting assessments to defray such expense.

8. The Secretary of the Commission shall immediately send a copy of this order, together with a copy of the "Suggested Budget Form", and memorandum pertaining thereto, to the secretaries of all district boards.

By order of the Commission.

Dated this 24th day of June, 1937.

[SEAL] F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 37-1943; Filed, June 28, 1937; 11:59 a. m.]

Office of Indian Affairs.

PROCLAMATION

RESERVATION FOR USE OF POMO AND AFFILIATED INDIANS OF LAKE COUNTY, CALIFORNIA

JUNE 10, 1937.

By virtue of authority contained in Section 7 of the Act of June 18, 1934 (48 Stat. L., 984), the lands described below, acquired by purchase under the provisions of Section 5 of that Act, for the use and benefit of such Pomo and affiliated Indians of Lake County, California, as may now or hereafter be located thereon by the Secretary of the Interior, are hereby proclaimed to be an Indian reservation for the benefit

and use of such Indians and upon their organization as an Indian tribe pursuant to Section 16 of the Act of June 18, 1934, supra, then for the benefit and use of such organized tribe.

Beginning at a point on the West line of the E½ of Lot 8, Section 1, T. 15 N., R. 10 W., M. D. M., distant 247.5 feet South of the Northwest corner of the E½ of said Lot 8, and running thence South 2415 feet to a point on the West line of the E½ of the SE¼, Section 1 that is distant 1332.6 feet North of the South line of Section 1; thence East, on a line parallel to the South line of said Section 1, 1320 feet to the East line of Section 1; and thence North, along the East line of Section 1, 2619.5 feet to a point 33 feet South of the Northeast corner of Lot 8; and thence South 80° 20' West 1337 feet to the point of beginning.

All of lot 7, Section 6, T. 15 N., R. 9 W., M. D. M., excepting therefrom that part thereof described as beginning at the Northeast corner of said Lot 7, and running thence West, along the North line of said Lot 7, 354 feet; thence South 1320 feet to the South line of Lot 7; thence East 354 feet to the Southeast corner of Lot 7; and thence North 1320 feet to the point of beginning.

CHARLES WEST,
Acting Secretary of the Interior.

[F. R. Doc. 37-1936; Filed, June 26, 1937; 9:25 a. m.]

GENERAL RULES AND REGULATIONS APPLICABLE TO THE AREAS INCLUDED IN THE FLATHEAD, MISSION, AND JOCKO VALLEY IRRIGATION DISTRICTS HAVING CONTRACTS WITH THE SECRETARY OF THE INTERIOR AND ORGANIZED UNDER STATE LAWS ON THE FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

MAY 27, 1937.

Water Delivery.—For all water delivered to any farm unit, allotment or tract in excess of the duty allowable for that tract, under the minimum charge assessment, there shall be made a charge of 75 cents per acre foot in addition to the minimum charge as fixed by the District levy, and such additional charge shall be added to the minimum advance levy for the following irrigation season; provided further that the maximum charge for water delivered to any farm unit or allotment during the irrigation season shall not exceed an amount equal to two dollars (\$2) per acre for the entire irrigable area of the farm unit or allotment.

The United States reserves the right to refuse to deliver water to an irrigation district, in the event of the default by such district or landowner for a period of more than one year in any payment due the United States.

An irrigation district may make such rules and regulations as it may find necessary in regard to the delivery of water to a landowner of the district who is delinquent in payment of any assessment to the district, and such rules and regulations will be enforced by the Project Engineer when it appears to be to the best interests of both the United States and the district to do so.

At any time during the irrigation season when it shall appear, in the judgment of the Project Engineer, that there shall not be sufficient water available to deliver the amount specified in this regulation to the entire irrigable area for which application for delivery of water has been made and approved, then the Project Engineer shall be authorized to reduce such amounts to the extent that there shall, in his judgment, be sufficient water available to make proportionate delivery to each farm unit, allotment or tract; and when any farm unit, allotment or tract shall have had delivered to it the amount so fixed, it shall not be entitled to further delivery of water except when it shall appear that there is a surplus of water available.

Application for Water Service.—No water will be delivered except under an approved application. The irrigation season for this project covers the period from April 15 to October 15 inclusive. To receive full recognition for

an irrigation season, application for water service should be filed in the office of the Indian Irrigation Service at St. Ignatius, Montana, sufficiently early so that the same may be approved by the Project Engineer on or before the opening of the irrigation season. Every application accepted by the United States after May 1 shall be approved with the understanding that water will be delivered thereunder for the then current season only after requirements of lands covered by applications previously approved shall have been fully provided for. Applications must describe the entire area which will be irrigated during the season.

The proper officials of the respective Irrigation Districts shall levy a minimum charge assessment against the irrigable area of the individual tracts included in the District, which minimum charge assessment shall result in a sum sufficient to provide for the payment of the assessment against the District. Payment of the assessment so levied shall entitle a water user to the delivery of water without further charge up to 1½ acre feet per acre of irrigable assessable land included in the farm unit, allotment or tract of land, provided that after an agreement has been reached by the Commissioners of the Irrigation District and the Project Engineer as to duty of water on individual tracts where water users claim excess requirements on account of porous or gravelly soils, the Project Engineer shall have authority, pending further orders, to increase the quantity of water to be delivered under the minimum charge levy to such porous or gravelly tracts provided it shall not exceed 4 acre feet of water per acre for the assessable irrigable area of the tract.

Provided further that upon agreement between the Commissioners of the District and the Project Engineer as to duty of water on any individual tracts within the Moiese subdivision of the project, which is supplied entirely through the lower Crow Reservoir, the owners of which tracts claim excessive water requirements because of extremely porous or gravelly soils, the Project Engineer is authorized, pending further orders, to increase the quantity of water to be delivered under the minimum charge levy provided it shall not exceed 6 acre feet per acre of assessable irrigable land; provided further that this special provision regarding tracts within the Moiese subdivision shall be applicable only in the event the water supply available from the stored water supply in the Lower Crow Reservoir is ample to allow such excess use without drawing on the water supply of other portions of the Mission Valley Division of the Flathead Project.

All assessments duly authorized shall be paid on the due date to the properly designated officer of the Indian Irrigation Service at St. Ignatius, Montana, and on all such assessments not paid on the due date the irrigation district shall pay a penalty at the rate of 6 per centum per annum during the period of delinquency.

Any deficit or surplus arising by reason of the costs being more or less than the assessments shall be adjusted in an equitable manner by taking it into account when fixing future assessment rates.

Care of Waste Water.—All applicants for water shall be required to construct and maintain in good order and repair upon their lands such ditches as may be necessary to catch and conduct to some waste canal, ditch, lateral or natural drainage channel any water flowing upon or from such lands. No waste water will be allowed to collect within 20 feet of any canal or lateral belonging to the United States, nor shall any waste ditches be constructed or maintained within 10 feet of any canal or lateral belonging to the United States, except at points of intersection or crossing, which shall be located only by order and under the direction of the proper officer of the United States. No water will be furnished to any applicant during such time as he fails to comply with the provisions of this paragraph.

WILLIAM ZIMMERMAN, JR.,
Assistant Commissioner.

Approved: June 5, 1937.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[Irrigation—9090-36-F]

FLATHEAD IRRIGATION DISTRICT, RONAN, MONTANA

MAY 27, 1937.

GENTLEMEN: In pursuance to the provisions of a contract executed by the Flathead Irrigation District, Flathead Irrigation Project, Montana, on May 12, 1928 as supplemented by agreements between the Secretary of the Interior and the Flathead Irrigation District dated February 27, 1929, March 28, 1934 and August 26, 1936, notice is hereby given that the assessment for operation and maintenance of the irrigation system to serve that portion of the Flathead Irrigation Project within the confines of the Flathead Irrigation District for the irrigation season of 1938 is \$60,000. This assessment involves an assessable area of approximately 66,324.8 acres, but does not include any lands held under Indian trust patent, and covers all proper project overhead and general charges. This amount shall be paid by the District to the United States, one-half thereof to be paid on or before February 1, 1938, in advance of delivery of water, and the remainder to be paid on or before July 1, 1938.

The Flathead Irrigation District shall comply fully with the general rules and regulations applicable to the areas included in the Irrigation Districts on the Flathead Irrigation Project approved by the Secretary of the Interior under date of June 5, 1937.

Sincerely yours,

WILLIAM ZIMMERMAN, JR.,
Assistant Commissioner.

Approved: June 5, 1937.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[Irrigation—9090-36-F]

MISSION IRRIGATION DISTRICT, ST. IGNATIUS, MONTANA

MAY 27, 1937.

GENTLEMEN: In pursuance to the provisions of a contract executed by the Mission Irrigation District, Flathead Irrigation Project, Montana, on March 7, 1931, and approved by the Secretary of the Interior on April 21, 1931, as supplemented by agreements between the Secretary of the Interior and the Mission Irrigation District dated June 2, 1934, and August 26, 1936, notice is hereby given that the assessment for operation and maintenance of the irrigation system to serve that portion of the Flathead Irrigation Project within the confines of the Mission Irrigation District for the irrigation season of 1938 is \$9,000. This assessment involves an assessable area of approximately 10,764.3 acres, but does not include any lands held under Indian trust patent, and covers all proper project overhead and general charges. This amount shall be paid by the District to the United States, one-half thereof to be paid on or before February 1, 1938, in advance of delivery of water, and the remainder to be paid on or before July 1, 1938.

The Mission Irrigation District shall comply fully with the general rules and regulations applicable to the areas included in the Irrigation Districts on the Flathead Irrigation Project, approved by the Secretary of the Interior under date of June 5, 1937.

Sincerely yours,

WILLIAM ZIMMERMAN, JR.,
Assistant Commissioner.

Approved: June 5, 1937.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[Irrigation—9090-36-F]

JOCKO VALLEY IRRIGATION DISTRICT, ARLEE, MONTANA

MAY 27, 1937.

GENTLEMEN: In pursuance to the provisions of a contract executed by the Jocko Valley Irrigation District, Flathead

Irrigation Project, Montana, on November 13, 1934, and approved by the Secretary of the Interior on February 26, 1935, as supplemented by an agreement dated August 26, 1936, notice is hereby given that the assessment for operation and maintenance of the irrigation system to serve that portion of the Flathead Irrigation Project within the confines of the Jocko Valley Irrigation District for the irrigation season of 1938 is \$3,500. This assessment involves an assessable area of approximately 4,537 acres, but does not include any lands held under Indian trust patent, and covers all proper project overhead and general charges. This amount shall be paid by the District to the United States, one-half thereof to be paid on or before February 1, 1938, in advance of delivery of water, and the remainder to be paid on or before July 1, 1938.

The Jocko Valley Irrigation District shall comply fully with the general rules and regulations applicable to the areas included in the irrigation districts on the Flathead Irrigation Project, approved by the Secretary of the Interior under date of June 5, 1937.

Sincerely yours,

WILLIAM ZIMMERMAN, Jr.,
Assistant Commissioner.

Approved: June 5, 1937.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 37-1937; Filed, June 26, 1937; 9:25 a. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Biological Survey.

ORDER PERMITTING THE SHOOTING OF CERTAIN BLACKBIRDS WHEN FOUND SERIOUSLY INJURIOUS TO AGRICULTURAL OR OTHER INTERESTS

Information having been furnished to the Secretary of Agriculture that yellow-headed blackbirds, red-wing blackbirds, bicolor red-wing blackbirds, tricolored red-wing blackbirds, and Brewer's blackbirds, by reason of heavy seasonal concentrations in their respective ranges in the United States, have become seriously injurious to agricultural crops and ornamental or shade trees, and an investigation having been made to determine the nature and extent of the injury and whether the birds should be killed and if so during what times and by what means, and the Secretary having determined that the aforesaid birds, under the conditions stated, have become seriously injurious as aforesaid and that the only practical means of safeguarding such crops and trees from such injury is to shoot the birds under the conditions and restrictions hereinafter prescribed.

By virtue of authority conferred upon the Secretary of Agriculture by the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755) as amended by the Act of June 20, 1936 (49 Stat. 1555),

It is ordered that the owner or custodian of any agricultural crop or of ornamental or shade trees is hereby authorized to shoot the aforesaid birds when found committing or about to commit serious depredations upon such crop or trees owned by or in his custody, but not by means of any gun to which a silencer or any other like device has been attached or otherwise affixed, nor from any blind, sink, pit, or any other device or means of concealment, whether natural or artificial.

No birds killed pursuant to this Order shall be shipped or transported or sold or offered for sale except that they may be transported to such place within the vicinity as may be necessary to bury or otherwise destroy their carcasses; Provided, however, that State agricultural departments, colleges, or other public institutions and the United States Department of Agriculture may requisition such numbers of the birds so killed as they may need for scientific investigations.

This Order does not permit the killing of any of the aforesaid birds in violation of any State law or regulation and if

a State permit to kill the birds is required such permit must be procured before exercising the privileges conferred by this Order.

Every person availing himself of the privileges of this Order shall at all reasonable times, and particularly during any operations thereunder, permit any Federal or State game or deputy game agent, warden, protector, or other game law enforcement officer free and unrestricted access to the premises on which such operations have been or are being conducted and shall promptly furnish such officer all such information touching his operations as such officer shall require.

On or before January 1 of each year during the continuance of this Order every person who kills any of the aforesaid birds under the authority hereby conferred shall submit to the Chief, Bureau of Biological Survey, United States Department of Agriculture, Washington, D. C., a report of his operations.

This Order is not effective in California, provision having previously been made for handling such depredations by the County Agricultural Commissions.

[SEAL]

HARRY L. BROWN,
Acting Secretary of Agriculture.

June 26, 1937.

[F. R. Doc. 37-1942; Filed, June 28, 1937; 10:19 a. m.]

Forest Service.

[Amended Administrative Order ¹]

DESIGNATING CERTAIN LANDS AS A PART OF THE HIAWATHA NATIONAL FOREST, MICHIGAN

By virtue of and pursuant to the provisions of Section 11 of the Act of Congress approved March 1, 1911 (36 Stat. 961) as amended, lands acquired or hereafter acquired for forestry purposes and lying within the following described area are hereby made a part of the Hiawatha National Forest, in Michigan, to wit:

Township 46 north range 23 west
Sections 11 to 15 inclusive, 21 to 29
inclusive, 33, 34 and 35.
Township 45 north range 23 west,
Section 2, north half
Michigan Principal Meridian

[SEAL]

H. A. WALLACE, Secretary.

Date: June 7, 1937.

[F. R. Doc. 37-1671; Filed, June 7, 1937; 12:38 p. m.]

DEPARTMENT OF COMMERCE.

Bureau of Air Commerce.

SPECIAL AIR TRAFFIC RULE

Pursuant to the authority contained in Section 3 (e) of the Air Commerce Act of 1926, as amended (44 Stat. 568), the following Special Air Traffic Rule is promulgated for the navigation of aircraft during the George Vanderbilt Cup Race to be held at the Roosevelt Raceway on July 3, 1937, or, in the event of postponement, on July 5, 1937.

No aircraft shall be navigated within 1000 feet in any direction from the Roosevelt Raceway, Garden City, L. I., New York, on July 3, 1937; or on July 5, 1937, if the George Vanderbilt Cup Race is postponed to the latter day. Take-offs and landings may be made at the extreme southern edge of Roosevelt Field except that no planes shall pass over the grandstands while taking off or landing.

Approved, to take effect July 3, 1937

[SEAL]

SOUTH TRIMBLE, Jr.,
Acting Secretary of Commerce.

[F. R. Doc. 37-1941; Filed, June 28, 1937; 10:12 a. m.]

¹ 2 F. R. 1167.

FEDERAL COMMUNICATIONS COMMISSION.

MODIFICATION OF RULE 229

The Commission, at a general session held on June 16, 1937, modified Rule 229 to read in part as follows:

5,695)		Aviation.
	5,697.5)	Aviation.
5,700)		General Communication.

[SEAL] T. J. SLOWIE, *Secretary*.

[F. R. Doc. 37-1930; Filed, June 26, 1937; 9:23 a. m.]

DELETION OF RULE 1002; AMENDMENT OF RULES 1001 (F) AND 1004

The Broadcast Division at its regular meeting held June 15, 1937, approved the revision of rules governing relay broadcast stations by deleting Rule 1002 and amending Rule 1001 (f) by omitting the words "and the information specified in Rule 1002 (b) (1), (2), (3) and (4)"; and amending Rule 1004 by omitting the words "and have been authorized to operate under Rule 1002 (b)".

[SEAL] T. J. SLOWIE, *Secretary*.

[F. R. Doc. 37-1929; Filed, June 26, 1937; 9:23 a. m.]

AMENDMENT OF RULE 262A, B, B

The Telegraph Division at its regular meeting held on June 15, 1937, amended Rule 262a, B, b to read in part as follows:

NORTHWESTERN CONTINENTAL CHAIN AND FEEDERS (PURPLE)

Available for aeronautical point-to-point stations

2,644	5,310	8,130: Day only ⁸
2,994 ¹²	6,490 ²	10,855: Day only ¹⁰

² This frequency assigned for unlimited hours upon the express condition that no interference is caused to the international mobile service.

⁸ Subject to the condition that no interference is caused to Government stations.

¹⁰ Subject to the condition that no interference is caused to existing services and that the operating frequency will be maintained within 0.02 percent of the assigned frequency.

¹² Subject to the condition that no interference is caused to aeronautical and aircraft stations.

[SEAL] T. J. SLOWIE, *Secretary*.

[F. R. Doc. 37-1931; Filed, June 26, 1937; 9:23 a. m.]

AMENDMENT OF RULE 262A, B, B

The Telegraph Division at its regular meeting held June 22, 1937, amended Rule 262a, B, b as follows:

NORTHERN TRANSCONTINENTAL CHAIN AND FEEDERS (RED)

Available for aircraft and aeronautical stations

3,147.5	3,182.5	5,122.5	5,592.5
3,162.5	3,322.5	5,572.5	5,662.5
3,172.5	4,335	5,582.5	5,697.5 day only ¹⁰

¹⁰ Subject to the condition that no interference is caused to existing services and that the operating frequency will be maintained within 0.02 percent of the assigned frequency.

[SEAL] T. J. SLOWIE, *Secretary*.

[F. R. Doc. 37-1940; Filed, June 28, 1937; 9:31 a. m.]

No. 124—2

FEDERAL HOUSING ADMINISTRATION.

AMENDMENT TO REGULATIONS OF SEPTEMBER 1, 1936, OF THE FEDERAL HOUSING ADMINISTRATION

The Regulations of the Federal Housing Administration, issued September 1, 1936 are hereby amended as follows:

Section 6 of Article VI is amended to read as follows:

6. At any time within one year from the date of default the mortgagee, at its election, shall either—

(a) with, and subject to, the consent of the Administrator, acquire by means other than foreclosure of the mortgage, possession of, and title to, the mortgaged property; or

(b) commence foreclosure of the mortgage; provided, that if the laws of the state in which the mortgaged property is situated do not permit the commencement of such foreclosure within such period of time, the mortgagee shall commence such foreclosure within thirty (30) days after the expiration of the time during which such foreclosure is prohibited by such laws.

The mortgagee shall promptly give notice in writing to the Administrator of the institution of foreclosure proceedings and shall exercise reasonable diligence in prosecuting such proceedings to completion.

For the purposes of this section, the date of default shall be considered as thirty (30) days after the first uncorrected failure to perform a covenant or obligation, or the first failure to make a monthly payment which subsequent payments by the mortgagor are insufficient to cover when applied to the overdue monthly payments in the order in which they became due.

If after default and prior to the completion of foreclosure proceedings, the mortgagor shall pay to the mortgagee all monthly payments in default and such expenses as the mortgagee shall have incurred in connection with the foreclosure proceedings, notice shall be given to the Administrator, and the insurance shall continue as if such default had not occurred.

Wherever a mortgagee so desires, the provisions of said Section 6 of Article VI, as hereby amended, shall become a part of any contract of insurance incorporating, and made pursuant to any previous regulations.

Issued at Washington, D. C., this 24th day of June, 1937.

[SEAL]

STEWART McDONALD,
Federal Housing Administrator.

[F. R. Doc. 37-1964; Filed, June 28, 1937; 12:50 p. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 22nd day of June, A. D. 1937.

POSTPONEMENT OF EFFECTIVE DATE OF SECOND PARAGRAPH OF RULE 27 OF TARIFF CIRCULAR 20

The Commission having under consideration the petition dated June 3, 1937, filed on behalf of all carriers by B. T. Jones, their duly authorized agent, requesting further postponement from July 20, 1937,¹ of the effective date of the second paragraph of Rule 27 of Tariff Circular 20 in all tariffs containing routing in accordance with Plan (2) of Rule 4 (k) of Tariff Circular 20;

It is ordered, That the date shown in the second paragraph of Rule 27 of Tariff Circular 20 as heretofore extended to read July 20, 1937, is hereby further extended until July 20, 1938, provided, however, that such extension shall be effective only as to tariffs which publish routing in the manner provided in Plan (2) of Rule 4 (k) of Tariff Circular 20.

By the Commission, division 2.

[SEAL]

W. P. BARTEL, *Secretary*.

[F. R. Doc. 37-1938; Filed, June 26, 1937; 10:56 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 28th day of June, 1937.

¹ F. R. 711.

[File No. 1-1698]

IN THE MATTER OF CHALMERS OIL AND GAS COMPANY, 8%
CUMULATIVE PREFERRED STOCK, \$5 PAR VALUE
ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM
LISTING AND REGISTRATION

The Chalmers Oil and Gas Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to the Commission to withdraw its 8% Cumulative Preferred Stock, \$5 par value, from listing and registration on the Baltimore Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, that the matter be set down for hearing at 10:00 o'clock a. m. on Tuesday July 27, 1937, in Room 1101, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1945; Filed, June 28, 1937; 12:42 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 28th day of June, 1937.

[File No. 1-969]

IN THE MATTER OF INTERNATIONAL SAFETY RAZOR CORPORATION
CLASS B COMMON STOCK, NO PAR VALUE
ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM
LISTING AND REGISTRATION

The International Safety Razor Corporation, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to the Commission to withdraw its Class B Common Stock, no par value, from listing and registration on the Boston Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, that the matter be set down for hearing at 11:00 a. m. on Tuesday, July 27, 1937, in Room 1101, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1946; Filed, June 28, 1937; 12:43 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 26th day of June, A. D. 1937.

IN THE MATTER OF RAINBOW LUMINOUS PRODUCTS, INC. CLASS
A COMMON, NO PAR VALUE CLASS B COMMON, NO PAR VALUE
ORDER TO SHOW CAUSE AND FOR HEARING DESIGNATING OFFICER
AND TIME AND PLACE FOR TAKING TESTIMONY

Whereas, Rainbow Luminous Products, Inc., a corporation, is the issuer of Class A No Par Common Stock and of Class B No Par Common Stock; and

Whereas, said Rainbow Luminous Products, Inc., registered both such securities on the New York Curb Exchange, a national securities exchange, by filing, on or about May 16, 1935, an application with the said Exchange and with the Commission, pursuant to Section 12 (b) of the Securities Exchange Act of 1934, as amended, and pursuant to Rule JB1 as amended, promulgated by the Commission thereunder; and

Whereas, said Rule JB1, as amended, at the time said application was filed and at all subsequent times did and does require such applications to be filed on Form 10 for Corporations; and

Whereas, Item 36 of said Form 10 for Corporations, at the time said application was filed and at all subsequent times did and does require the registrant to submit financial statements in accordance with the Instructions and Rules and Regulations of the Commission supplemental thereto, as amended, as to the use of said Form 10 for Corporations; and

Whereas, said Rainbow Luminous Products, Inc., has failed to comply with the provisions of said Section 12 (b) of said Securities Exchange Act, as amended, with the provisions of said Rule JB1, as amended, and with the provisions of said Form 10 for Corporations, and with the provisions of said Instructions and Rules and Regulations of the Commission supplemental thereto, as amended, in that neither the application filed by it for registration of said securities on said Exchange pursuant to said Section 12 (b), nor any amendment thereto

Contains a certificate of an independent public or independent certified public accountant or accountants, which states the accountant's opinion in respect of the financial schedules required to be filed as parts of said application, although required by the Rules and Regulations of the Commission; and

Whereas, Section 13 (a) and (b) of said Securities Exchange Act of 1934, as amended, requires that every issuer of a security registered on a national securities exchange shall file such annual reports as the Commission may by rule and regulation prescribe; and

Whereas, said Rainbow Luminous Products, Inc., filed on or about July 1, 1936, an annual report on Form 10K for the fiscal year ended December 31, 1935, pursuant to Section 13 (a) and (b) of said Securities Exchange Act of 1934, as amended, and Rules KA1 and KA2 promulgated by the Commission thereunder; and

Whereas, said Rainbow Luminous Products, Inc., has failed to comply with the provisions of said Section 13 (a) and (b), said Rules KA1 and KA2 and with the provisions of said Form 10K and with the provisions of the said Instructions and Rules and Regulations of the Commission supplemental thereto, as amended, in that neither the Annual Report filed by it for the year ended December 31, 1935 nor any amendment thereto contains a certificate of an independent public or independent certified public accountant covering the financial statements and supporting schedules required to be filed by Item 8 and the Instructions thereto, and in that Item 8 of said Form 10K does not contain the financial schedules required by the instructions to Item 8 and the Rules and Regulations of the Commission to be furnished thereunder; and

Whereas, said Rainbow Luminous Products, Inc., has failed to comply with Section 13 (a) and (b) of said Securities Ex-

change Act, as amended, and with Rules KA1 and KA2 promulgated by the Commission thereunder in that as issuer of said Class A Common No Par Stock and said Class B Common No Par Stock, it has failed to file information and documents required by Rule KA1, adopted by the Commission pursuant to said Section 13 (a) and has failed to file its annual report for the year ended December 31, 1936, on Form 10K as required by Rule KA2, adopted by the Commission pursuant to said Section 13 (b);

It is ordered that pursuant to Section 19 (a) (2) of said Securities Exchange Act of 1934, as amended, a hearing be held to determine whether said Rainbow Luminous Products, Inc., has so failed to comply with said Provisions of said Section 12 (b) (1) and said Section 13 (a) and (b) and said Rules and Regulations promulgated by the Commission thereunder, or with any provision of either of said Sections or of any Rule or Regulation promulgated by the Commission under either of said Sections, and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding 12 months or to withdraw the registration of said Class A Common No Par Stock and said Class B Common No Par Stock, on said New York Curb Exchange; and

It is further ordered that said Rainbow Luminous Products, Inc., appear before an officer of the Commission and show cause why the registration of said Class A Common No Par Stock and said Class B Common No Par Stock on said New York Curb Exchange should not be suspended for a period not exceeding 12 months or withdrawn as provided in Section 19 (a) (2) of the Securities Exchange Act of 1934, as amended; and

It is further ordered, that for the purpose of such proceeding, Charles S. Moore, an officer of the Commission, be and hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that a public hearing for the taking of testimony begin on the 7th day of July, 1937, at 10:00 A. M., in room number 1103 at the office of the Securities and Exchange Commission, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as such officer may determine.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1944; Filed June 28, 1937; 12:42 p.m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 25th day of June, A. D. 1937.

[File No. 43-47]

IN THE MATTER OF ARKANSAS-MISSOURI POWER CORPORATION

[Public Utility Act of 1935]

ORDER FIXING DATE FOR DECLARATION TO BECOME EFFECTIVE PURSUANT TO SECTION 7

Arkansas-Missouri Power Corporation, a registered holding company, having filed a declaration with the Commission, pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding the issue and sale of the following securities:

\$2,834,625 aggregate principal amount of First Mortgage 5% Bonds, Series A, dated January 1, 1937 and due January 1, 1957, such bonds to have attached thereto (in addition to regular coupons) Special Bond Coupons, aggregat-

ing \$56,692.50, payable without interest on or before June 1, 1940;

18,897.5 shares of 6% Cumulative Preferred Stock, having a par value of \$50 per share;

182,605 shares of Common Stock, having a par value of \$1 per share, 16,000 shares of which will be held in the treasury for delivery on the exercise of Common Stock Purchase Warrants;

Common Stock Purchase Warrants entitling holders to purchase 16,000 shares, in the aggregate, of common stock at \$9 per share on or before December 31, 1938 and thereafter and on or before December 31, 1941 at \$10 per share; and

\$200,313.50 aggregate principal amount of Cash Scrip dated January 1, 1937, having no specific maturity but payable only from such funds as may be received under a certain power contract described in said declaration;

Such declaration having been amended; a hearing thereon having been held after appropriate notice; the record in this matter having been duly considered; and the Commission having filed its findings herein;

It is ordered that said declaration, as amended, be and become effective forthwith, on condition, however, that the issue and sale of the aforesaid securities shall be effected in substantial compliance with the terms and conditions set forth in, and for the purposes represented by, said declaration, as amended.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1953; Filed, June 28, 1937; 12:45 p.m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of June, A. D., 1937.

[File No. 43-58]

IN THE MATTER OF DEERFIELD RIVER ELECTRIC COMPANY

ORDER FIXING DATE FOR DECLARATION TO BECOME EFFECTIVE UNDER SECTION 7 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Deerfield River Electric Company, a subsidiary company of New England Power Association, a registered holding company, having duly filed with this Commission a declaration pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding corporate action by declarant entitling New England Power Association, as its sole stockholder, to receive, upon consolidation of declarant with Northern Berkshire Gas Company and in exchange for 2,000 shares of \$25 par value capital stock of declarant, one share of \$100 par value capital stock of Northern Berkshire Gas Company; a hearing on said declaration having been duly held after appropriate notice; the record in this matter having been examined; and the Commission having made and filed its findings herein;

It is ordered that said declaration be and become effective on June 24, 1937; upon condition, however, that such corporate action and all matters connected therewith or related thereto shall be performed in all respects in accordance with the applicable evidence contained in the applications and amendment received in evidence in the consolidated hearing in this proceeding.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1950; Filed, June 28, 1937; 12:44 p.m.]

¹ 2 F. R. 979.

² 2 F. R. 1079.

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of June, A. D., 1937.

[File No. 43-59]

IN THE MATTER OF UNION ELECTRIC COMPANY OF MISSOURI

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE PURSUANT TO SECTION 7 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Union Electric Company of Missouri, a subsidiary company of The North American Company, a registered holding company, having filed with the Commission a declaration pursuant to Section 7 of the Public Utility Holding Company Act of 1935 regarding the issue and sale by declarant of \$80,000,000 aggregate principal amount of its First Mortgage Collateral Trust Bonds, 3¾% Series, due July 1, 1962, and \$15,000,000 aggregate principal amount of its 3% Notes, due July 1, 1942; a hearing on said declaration, as amended, having been held after appropriate notice;¹ the record in this matter having been examined; and the Commission having made and filed its findings herein:

It is ordered that said declaration be and become effective forthwith, subject to the terms and for the purposes represented by said declaration, upon condition, however, that all sums to be paid to Union Electric Company of Illinois for the acquisition of \$22,000,000 of that company's bonds (see File 46-59) shall be paid out of the proceeds of the bonds covered by this declaration.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1949; Filed, June 28, 1937; 12:44 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C. on the 24th day of June, 1937.

[File No. 1-1750]

IN THE MATTER OF CRYSTALITE PRODUCTS CORPORATION COMMON STOCK, \$1 PAR VALUE 7% CUMULATIVE PREFERRED STOCK, \$100 PAR VALUE

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

The Crystalite Products Corporation, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to the Commission to withdraw its Common Stock, \$1 Par Value and 7% Cumulative Preferred Stock, \$100 Par Value, from listing and registration on the Los Angeles Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, that the matter be set down for hearing at 10:00 A. M. on Wednesday, July 28, 1937, in Room 426, Securities and Exchange Commission, 650 South Spring Street, Los Angeles, California, and continue thereafter at such times and places as may be determined by the Commission or its officers herein designated; and

It is further ordered, that Howard A. Judy and Charles R. Burr, officers of the Commission, be and they hereby are designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to

the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1957; Filed, June 28, 1937; 12:46 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of June, 1937.

[File No. 1-1813]

IN THE MATTER OF MERCHANTS PETROLEUM COMPANY COMMON STOCK, \$1.00 PAR VALUE

ORDER POSTPONING HEARING

The Merchants Petroleum Company, having made application to the Commission pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, for permission to withdraw its Common Stock, \$1.00 Par Value, from listing and registration on the Los Angeles Stock Exchange; and

The Commission having ordered that the matter be set down for hearing on June, 28 1937;¹ and

Said issuer having requested a postponement of said hearing until after its annual meeting of stockholders in February 1938;

It is ordered, that said hearing be postponed until 10:00 A. M. on Tuesday, March 8, 1938, in Room 426, Securities and Exchange Commission, 650 South Spring Street, Los Angeles, California, and continue thereafter at such times and places as may be determined by the Commission or its officers herein designated; and

It is further ordered, that Howard A. Judy and Charles R. Burr, officers of the Commission, be and they hereby are designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1956; Filed, June 28, 1937; 12:46 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of June, 1937.

[File No. 1-405]

IN THE MATTER OF ST. LOUIS COTTON COMPRESS COMPANY COMMON STOCK, \$10 PAR VALUE

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

The St. Louis Cotton Compress Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to the Commission to withdraw its Common Stock, \$10 Par Value, from listing and registration on the St. Louis Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, that the matter be set down for hearing at 10:00 A. M. on Wednesday, July 28, 1937, in Room 630, Securi-

¹ 2 F. R. 1160.

¹ 2 F. R. 1229.

ties and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as may be determined by the Commission or its officers herein designated; and

It is further ordered, that W. McNeil Kennedy and Henry Fitz, officers of the Commission, be and they hereby are designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1958; Filed, June 28, 1937; 12:46 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 25th day of June, A. D. 1937.

[File No. 46-54]

IN THE MATTER OF ARKANSAS-MISSOURI POWER CORPORATION

[Public Utility Act of 1935]

ORDER APPROVING ACQUISITION OF SECURITIES PURSUANT TO SECTION 10

Arkansas-Missouri Power Corporation, a registered holding company, having filed an application with the Commission, pursuant to Section 10 of the Public Utility Holding Company Act of 1935, for approval of its acquisition of all the common stock, consisting of 14,547 shares having no par value, of East Missouri Power Company, a subsidiary of Arkansas-Missouri Power Company;

A hearing on said application having been held after appropriate notice;¹ the record in this matter having been duly considered; and the Commission having filed its findings herein:

It is ordered that the acquisition of the aforesaid securities be and the same hereby is approved subject to the terms and conditions set forth in, and for the purposes represented by, said application.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1954; Filed, June 28, 1937; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 25th day of June, A. D. 1937.

[File No. 47-11]

IN THE MATTER OF ARKANSAS-MISSOURI POWER CORPORATION

[Public Utility Act of 1935]

ORDER APPROVING ACQUISITION OF ASSETS PURSUANT TO SECTION 10

Arkansas-Missouri Power Corporation, a registered holding company, having filed an application with the Commission, pursuant to Section 10 of the Public Utility Holding Company Act of 1935, for approval of its acquisition of all the assets and business of Arkansas-Missouri Power Company (a separate application having been filed with respect to its acquisition of the common stock of East Missouri Power Company, see File No. 46-54);

¹ 2 F. R. 1066.

A hearing on said application having been held after appropriate notice;¹ the record in this matter having been duly considered; and the commission having filed its findings herein;

It is ordered that the acquisition of all such assets and business (other than of the common stock of East Missouri Power Company, which is covered by a separate order) be and the same hereby is approved, on condition, however, that such acquisition shall be effected in substantial compliance with the terms and conditions set forth in, and for the purposes represented by, said application.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1952; Filed, June 28, 1937; 12:44 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 26th day of June, A. D., 1937.

[Public Utility Act of 1935]

IN THE MATTER OF KENTUCKY UTILITIES COMPANY

[File No. 46-56]

ORDER APPROVING ACQUISITION OF SECURITIES PURSUANT TO SECTION 10

Kentucky Utilities Company, a subsidiary of a registered holding company, having filed an application with the Commission, pursuant to Section 10 of the Public Utility Holding Company Act of 1935, for approval of its acquisition of the following securities of Arkansas-Missouri Power Corporation:

\$245,250 principal amount of First Mortgage 5% Bonds, Series A, to be dated January 1, 1937, and to mature January 1, 1957, such bonds to have attached thereto (in addition to regular coupons) Special Bond Coupons, aggregating \$4,905, payable without interest on or before January 1, 1940;

1,635 shares of 6% Cumulative Preferred Stock, having a par value of \$50 per share;

1,962 shares of Common Stock, having a par value of \$1 per share; and

\$17,331 principal amount of Cash Scrip, dated January 1, 1937, bearing no interest and having no specific maturity but payable from a limited source;

A hearing on said application having been held after appropriate notice;² the record in this matter having been duly considered; and the Commission having filed its findings herein:

It is ordered that such acquisition of the aforesaid securities be and the same hereby is approved subject to the terms and conditions set forth in, and for the purposes represented by, said application.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1955; Filed, June 28, 1937; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 26th day of June, A. D., 1937.

¹ 2 F. R. 1066.

² 2 F. R. 1080.

[File No. 46-48]

IN THE MATTER OF THE MIDDLE WEST CORPORATION
[Public Utility Act of 1935]

ORDER APPROVING ACQUISITION OF SECURITIES PURSUANT TO
SECTION 10

The Middle West Corporation, a registered holding company, having filed an application with the Commission, pursuant to Section 10 of the Public Utility Holding Company Act of 1935, for approval of its acquisition of the following securities of Arkansas-Missouri Power Corporation:

\$540,600 principal amount of First Mortgage 5% Bonds, Series A, to be dated January 1, 1937, and to mature January 1, 1957, such bonds to have attached thereto (in addition to regular coupons) Special Bond Coupons, aggregating \$10,812, payable without interest on or before January 1, 1940;

3,604 shares of 6% Cumulative Preferred Stock, having a par value of \$50 per share;

32,530.8 shares of Common Stock, having a par value of \$1 per share; and

\$38,202.40 principal amount of Cash Scrip dated January 1, 1937, bearing no interest and having no specific maturity, but payable from a limited source;

A hearing on said application having been held after appropriate notice;¹ the record in this matter having been duly considered; and the Commission having filed its findings herein;

It is ordered that such acquisition of the aforesaid securities be and the same hereby is approved subject to the terms and conditions set forth in, and for the purposes represented by, said application.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1947; Filed, June 28, 1937; 12:43 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of June, A. D. 1937.

[File No. 46-55]

IN THE MATTER OF NEW ENGLAND POWER ASSOCIATION

ORDER APPROVING ACQUISITION OF A SECURITY PURSUANT TO
SECTION 10 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF
1935

New England Power Association, a registered holding company, having duly filed with this Commission an application pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935 for approval of the acquisition by it of one share of \$100 par value capital stock of Northern Berkshire Gas Company; a hearing on said application having been duly held after appropriate notice;¹ the record in this matter having been examined; and the Commission having made and filed its findings herein:

It is ordered, that such acquisition by applicant in the manner and in accordance with the terms and conditions set forth in said application be, and the same hereby is, approved.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1951; Filed, June 28, 1937; 12:44 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 25th day of June, A. D., 1937.

¹ 2 F. R. 1019.

[File No. 46-59]

IN THE MATTER OF UNION ELECTRIC COMPANY OF MISSOURI

ORDER APPROVING ACQUISITION OF SECURITIES PURSUANT TO SECTION 10 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Union Electric Company of Missouri, a subsidiary company of The North American Company, a registered holding company, having filed with the Commission an application pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935 for the approval of the acquisition by it from Union Electric Company of Illinois of that company's First Mortgage Bonds, 3¾% Series, due July 1, 1962; a hearing on said application having been held after appropriate notice;¹ the record in this matter having been examined; and the Commission having made and filed its findings herein;

It is ordered that the acquisition by applicant of said securities in accordance with the terms and conditions and for the purposes represented by said application be, and the same hereby is, approved.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1948; Filed, June 28, 1937; 12:43 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 25th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE CONTINENTAL ET AL.-JANSSEN "B" TRACT, FILED ON
MAY 20, 1937, BY W. E. COOK, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Order for Hearing previously entered in this proceeding;²

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on June 22, 1937, be effective as of June 22, 1937.

It is further ordered that the Order for Hearing heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1961; Filed, June 28, 1937; 12:47 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE CONTINENTAL-JANSSEN FARM, FILED ON MAY 24, 1937,
BY ELMER J. COUSINO, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in

¹ 2 F. R. 1160.² 2 F. R. 1204.

the above entitled matter, which was last set to be heard at 10:30 o'clock in the forenoon on the 25th day of June, 1937,¹ at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:00 o'clock in the forenoon on the 9th day of July, 1937, at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1962; Filed, June 28, 1937; 12:47 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE GULF-WISE-VINSON FARM, FILED ON MAY 24, 1937,
BY GENERAL INDUSTRIES CORP., LTD., RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter,² which was last set to be heard at 10:00 o'clock in the forenoon on the 25th day of June, 1937, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:00 o'clock in the forenoon on the 6th day of July, 1937, at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1963; Filed, June 28, 1937; 12:47 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of June, A. D., 1937.

¹ 2 F. R. 1113.

² 2 F. R. 1209.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE SINCLAIR-PRAIRIE-FRANKLIN TRACT, FILED ON JUNE 4,
1937, BY G. D. TERRIEN, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Temporary Suspension Order previously entered in this proceeding;¹

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on June 18, 1937, be effective as of June 18, 1937.

It is further ordered that the Temporary Suspension Order heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1960; Filed, June 28, 1937; 12:47 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE SINCLAIR-PRAIRIE-MARVEL TRACT, FILED ON JUNE 4,
1937, BY G. D. TERRIEN, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Temporary Suspension Order previously entered in this proceeding;¹

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on June 18, 1937, be effective as of June 18, 1937.

It is further ordered that the Temporary Suspension Order heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1959; Filed, June 28, 1937; 12:46 p. m.]

¹ 2 F. R. 1207.

